

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	CRIMINAL NO. G-00-13 (01)
	§	CIVIL ACTION NO. G-05-270
FRANK ESPINOSA	§	


**OPINION AND ORDER**

Before the Court is a Report and Recommendation from the United States Magistrate Judge which recommends that the Motion under Section 2255 of Frank Espinosa be dismissed. Espinosa has filed no objections to the Report and Recommendation.

Upon *de novo* review, pursuant to 28 U.S.C. § 636(b)(1)(C), the Court finds that the Report and Recommendation of the Magistrate Judge is a well reasoned and correct application of law to the facts in this case and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is the **ORDER** of this Court that the Motion under 28 U.S.C. § 2255 (Instrument no. 82) of Frank Espinosa is **DENIED**.

**DONE** at Galveston, Texas, this 1<sup>st</sup> day of August, 2005.

  
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Samuel B. Kent  
United States District Judge